

# Calendar No. 908

68TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ No. 842

## THE NATIONAL GUARD

JANUARY 5, 1925.—Ordered to be printed

Mr. WADSWORTH, from the Committee on Military Affairs, submitted the following

### REPORT

[To accompany S. 3760]

The Committee on Military Affairs to which was referred the bill (S. 3760) to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes, has had it under consideration, and recommends that it pass with the following amendments:

Page 2, line 4, strike out "all" and insert in lieu thereof "no."

Page 2, line 9, strike out "not."

Page 5, line 9, strike out "but" and insert in lieu thereof "shall be eligible to succeed himself and."

Page 8, line 15, after the word "the" insert "then current" and in line 16, after the word "year" insert "and throughout the fiscal year."

The provisions of this bill refer exclusively to the national defense act of June 3, 1916, as amended by the Army reorganization act of 1920. The proposals were drafted after consultation between the officers representing the National Guard and the War Department and have the entire approval of both the War Department and the National Guard. They are intended to assist in the development of the guard and are in its best interests.

Section 1 amends the law so as to permit the reenlistment in the National Guard of men between the ages of 45 and 64 and meets a decision of the Comptroller General which prevents the reenlistment of men over 45.

Section 2 provides for boards of inquiry to determine the general fitness of any National Guard officer who has received Federal recognition. It seems to your committee that the Secretary of War should have authority to withdraw such recognition when it has been

affirmatively shown that the individual officer is no longer entitled to it.

Section 3 provides for a change in the enlistment contract of enlisted men which will permit hereafter the transfer of active guardsmen to the guard reserve and vice versa. This is desirable to meet changing conditions in individual cases among enlisted personnel.

Section 4 provides that the Chief of the Militia Bureau of the War Department shall be appointed from the active officers of the guard who have been federally recognized. Heretofore the Chief of the Militia Bureau has been selected from "present and former National Guard officers." It is believed that the change will be advantageous. This section further provides that hereafter the Chief of the Militia Bureau shall cease to hold office upon reaching the age of 64 years; that upon accepting the office he be appointed a major general in the Officers' Reserve Corps, to hold such commission while serving as Chief of the Militia Bureau, and his pay is fixed in accordance with his rank; that the three officers detailed in the Militia Bureau be federally recognized National Guard officers.

Section 5 provides that where any State, Territory, or the District of Columbia has been charged with the total value of property issued to it on account of its loss, damage, or destruction through negligence, and stoppages and collections are made against those responsible therefor, and the damaged property sold by the Secretary of War, the proceeds of such sales, stoppages, and collections are deposited in the Treasury to the credit of such State, Territory, or the District of Columbia, but such credit is not available for the purpose of expenditure after the end of the fiscal year in which such sales, stoppages, or collections are made. This credit is sometimes entered so near June 30 as to be practically unavailable.

This amendment merely makes the credit available for expenditure throughout the succeeding fiscal year, which is in accordance with similar provisions of law relating to sales of public property, supplies, etc., by the Quartermaster Department.

Section 6 amends the eighth paragraph of section 127a of the national defense act, which at present credits reserve officers and National Guard officers, for the purpose of relative rank, with all active Federal service. The reserve officers who attend summer encampments or who perform other active duties are credited with all such periods in determining their relative rank with the Regular Army and National Guard officers. National Guard officers when in attendance at encampments and maneuvers, camps of instruction, and service schools are not in the Federal service, and so are not given credit for such periods of duty when relative rank is determined. The result is that National Guard officers are deprived of credit for the performance of duties for which reserve officers receive credit. This situation is unfair and should be corrected. The proposed change will accomplish such correction.

Section 7 of the proposed bill is necessitated by the discovery that in the purchase by the United States from the Monroe Water Supply Co., in 1915 of the lands described for an artillery target range at Tobyhanna, Pa., the tract actually conveyed to the United States was,

by error of description or misunderstanding as to location, not the tract actually intended to be bought. The land actually conveyed is of little or no use to the United States, and the grantors have signified their willingness to exchange, without cost to the United States, land of approximately equal area in an adjoining tract which affords the fire position desired for a target range. The land now to be conveyed to the United States in exchange has an area of about 22 acres, and the present value of each piece is within the sum of \$100.

The object of the proposed amendment is merely to authorize and effect the exchange.



